DOCKET ITEM 07-01

Maximum Height Requirement for Utilities in Residential Zones

Revised to Reflect Planning Commission Discussion of January 9, 2008

ISSUE:

- Should zoning rules allow for additional height for essential public utility facilities within residential zones, ~~such as~~ including but not limited to above-ground water reservoir standpipes, ~~s~~ ~~and~~ elevated water towers, water treatment facilities, wastewater and stormwater treatment facilities~~within residential zones~~?
- Is the proposed 175 ~~75~~-foot height maximum ~~sufficient~~ for water reservoirs and 50-foot maximum height sufficient for public utility facilities needs while still providing opportunity for buffering of residential properties?
- Should additional setback be required for the 50 foot maximum height ?

RECOMMENDATION:

- Approve a code modification to allow additional height for above-ground and elevated water ~~towers~~ reservoirs and public utility facilities. This amendment is proposed as a note in the development standards table allowing the height of a publicly owned utility facility, such as an above-ground standpipe water reservoir, an elevated water tank, a water treatment facility, ~~system structure~~ to be increased up to a maximum height of one hundred and seventy-five feet (~~75~~175 feet') to the highest point of the water storage reservoir and fifty feet (50 feet) maximum height for water facilities, such as water treatment facility, and pump stations.~~building~~. Implementation of the 50 foot height allowance for water treatment facilities and pump stations should require additional setbacks at the rate of 1.5 feet of setback per 1 foot of additional height when a utility structure abuts a street, and 2 feet of additional setback per 1 foot of additional height when a utility structure abuts a common property line. This setback standard is recommended to address the Planning Commission's concern about the potential visual impact of large box-like structures within single family neighborhoods.

- Approve language requiring graphic treatment of water towers that exceed the height standard in the zone.

BACKGROUND:

Current zoning treats public facilities the same as all other structures in a zone with respect to height, setback, and lot coverage. Height in Renton's R-1, R-4, and R-8 zones is two stories and 30 feet. Existing and proposed above-ground and elevated Water reservoirs ~~towers do not~~ cannot meet these standard heights due to the operational and functional uses of the facilities. Public facilities are defined in the Renton Municipal Code as: *streets, roads, highways, sidewalks, street lighting systems, traffic signals, domestic water system; storm and sanitary sewer systems, park and recreation facilities, schools, public buildings*.

Most of these public facilities can appropriately meet height requirements because, where structures are required (e.g. parks buildings, schools and public buildings), the function of

the building does not necessitate greater height. However, water storage reservoirs and water treatment facilities, which are needed for fire protection and for domestic water uses, ~~domestic water system facilities~~ are an exception to that rule. The height and ~~bulk~~ storage capacity of the water reservoir ~~is~~ are needed to provide ~~for~~ required storage capacity and to deliver the required minimum water pressure and volume for fire protection and for domestic uses. ~~and for water flow.~~ The height of water treatment facilities must be sufficient to accommodate the height of various filters -and water processing and treatment equipment.

In the past, variances have been requested and granted to height standards for the construction of new public facilities in residential zones. However, the variance is not the correct zoning tool to use in this instance because variances are property specific, and findings are required for hardship based on the physical constraints of the parcel. For a typical structure in the zone, these findings would be based on evidence that the size, shape or environmental constraints of a site prevent reasonable use of the parcel. However, above-ground water ~~towers~~ reservoirs and water treatment facilities, by function, typically require height much greater than 35 feet. The need for additional height is not created by any physical constraint of the site, but by the function of the use. Sites proposed for water reservoirs, ~~system~~ water treatment facilities and pump stations, typically are larger than the minimum lot size allowed in the zone and are selected because they do not have physical constraints and also because they meet the operational and functional requirements of the facilities. The facilities typically do not require the entire 35 percent lot coverage allowed for other structures in the zone, and land is available in the larger setback for buffering adjacent uses. The water ~~tower~~ reservoir, pump station, and water treatment facility uses requires a Hearing Examiner Conditional Use Permit as a large utility and requires a public hearing with an opportunity for public comment on site planning and buffering issues.

The Planning Commission requested consideration of adding a requirement for graphic art on public utility facilities.
The Planning Commission did not support a requirement for graphic design for water treatment facilities as these structures can be designed to resemble domestic architecture but the Commission did express concern about potential setbacks for these facilities. The Commission felt that the additional height of up to 50 feet, while needed for the functionally of a facility, would not be appropriate within a standard 5 feet of a side setback, or standard 20 foot front setback. The code has existing languague for P-1 public facility height bonuses allowing additional height with a requirement for a proportional increase in setbacks. The revised code draft stipulates that this standard is enacted for the public utility 50' height bonus.

It is recommended that the following language be added to the development standards table in Section 4-2-110A.

*1.*Public facilities, are allowed the following height bonus:

a. water towers/reservoirs are permitted up to a maximum height of one hundred and seventy-five feet (175 feet) to the highest point of the reservoir

b. water treatment facilities and pump stations are allowed up to fifty (50 feet) provided that setbacks are provided as follows:

i. When abutting a public street, one additional foot of height for each additional one and one-half feet (1-1/2') of perimeter building setback beyond the minimum street setback is required.

ii. When abutting a common property line, one additional foot of height for each additional two feet (2') of perimeter building setback beyond the minimum required along a common property line.

2. *Public utility facilities exceeding 50 feet in height shall be treated with public art consistent with RMC 4-9-160. Such public art may be eligible for 1% for art funding and shall be reviewed by the Renton Art Commission.*

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COMPREHENSIVE PLAN COMPLIANCE:
Implementation of a height exception for essential public facilities in residential zones meets Land Use Element **Objective LU-R**: *Locate and plan for public facilities in ways that benefit abroad range of potential public uses*. It also meets **Policy LU-79:** *Guide and modify development of essential public facilities to meet Comprehensive Plan policies and to mitigate impacts and costs to the City.* A height exception complies with the Comprehensive Plan because the facility could not be located or planned for in a residential area with a conventional height.

CONCLUSION:
Allowing additional height of a maximum of ~~75~~ 175 feet for water reservoirs and 50 feet maximum height for public utility facilities allows these facilities to be constructed ~~occur~~ in neighborhoods where they are needed in order to provide required water storage for fire protection of public and private properties and for domestic water uses~~.~~